

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

LITTLE LAKE CITY SCHOOL DISTRICT,

v.

PARENT ON BEHALF OF STUDENT.

OAH CASE NO. 2014010018

ORDER GRANTING INITIAL
REQUEST FOR CONTINUANCE AND
SETTING MEDIATION, PREHEARING
CONFERENCE AND DUE PROCESS
HEARING

On January 22, 2014, the parties jointly filed an initial request to continue the dates in this matter. The initial hearing date is January 30, 2014.

A due process hearing must be conducted and a decision rendered within 45 days of receipt of the due process notice unless an extension is granted for good cause. (34 C.F.R. § 300.515(a) & (c) (2006); Ed. Code, §§ 56502, subd. (f), 56505, subd. (f)(3); Cal. Code Regs., tit. 1, § 1020.) As a result, continuances are disfavored. Good cause may include the unavailability of a party, counsel, or an essential witness due to death, illness or other excusable circumstances; substitution of an attorney when the substitution is required in the interests of justice; a party's excused inability to obtain essential testimony or other material evidence despite diligent efforts; or another significant, unanticipated change in the status of the case as a result of which the case is not ready for hearing. (See Cal. Rules of Court, rule 3.1332(c).) OAH considers all relevant facts and circumstances, including the proximity of the hearing date; previous continuances or delays; the length of continuance requested; the availability of other means to address the problem giving rise to the request; prejudice to a party or witness as a result of a continuance; the impact of granting a continuance on other pending hearings; whether trial counsel is engaged in another trial; whether the parties have stipulated to a continuance; whether the interests of justice are served by the continuance; and any other relevant fact or circumstance. (See Cal. Rules of Court, rule 3.1332(d).)

OAH has reviewed the request for good cause and considered all relevant facts and circumstances. The request is:

☒ Granted. All dates are vacated. In this District-filed case, the parties have requested a new mediation date, and dates for hearing that are slightly more than ninety days beyond the initial hearing date. OAH will only consider additional continuance requests upon an appropriate showing of good cause.

Mediation:	March 12, 2014 at 9:30 AM
Prehearing Conference:	April 21, 2014 at 10:00 AM

Due Process Hearing: May 5, 6, 7, and 8, 2014, and continuing day to day, Monday through Thursday, as needed at the discretion of the Administrative Law Judge. The first day of hearing will start at 1:30 p.m. and all other hearing dates will start at 9:00 a.m. unless otherwise ordered.

IT IS SO ORDERED.

Dated: January 22, 2014

/s/

ADRIENNE L. KRIKORIAN
Administrative Law Judge
Office of Administrative Hearings